

O I P E
FEB 22 2002
Attorney Docket No: INBI-007/04US
8067-113-999

Receipt
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on February 4, 2002.

By:

Vikki L. Athen
Vikki L. Athen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of BORDERS et al.

Serial No.: 09/904,352

Examiner: Not Yet Assigned

Confirmation No. 2880

Art Unit: 1653

Filed: July 13, 2001

For: DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF

Office of Initial Patent Examination's Customer Service Center
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Attached is a copy of the Official Filing Receipt received from the Patent and Trademark Office in the above-identified application for which issuance of a corrected filing receipt is respectfully requested.

The error to be corrected is as follows:

The "Continuing Data as Claimed by Applicant" section incorrectly claims priority. The application is a CIP of 09/760,328 01/12/2001 which claims the benefit of 60/219,059 07/17/2000 and claims benefit of 60/220,950 07/26/2000. The "Continuing Data as Claimed by Applicant" section should be corrected to reflect this. This is evidenced by the language used by Applicants in their Preliminary Amendment, a copy of which is enclosed.

U.S. PATENT & TRADEMARK OFFICE
WASHINGTON, D.C. 20231

[x] The correction is required due to Applicant's error and a check including the amount of \$25.00 is enclosed to cover the fee under 37 CFR 1.1 9(h).

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication or credit any overpayment to Deposit Account 03-3117:

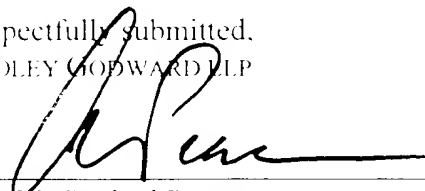
- [X] Any national application filing fees under 37 CFR 1.16.
- [X] Any patent application processing fees under 37 CFR 1.17.

A duplicate copy of this sheet is attached for accounting purposes.

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INBI-007/04US
AMP

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
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 WASHINGTON, D.C. 20503
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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/904,352 | 07/13/2001 | 1653 | 1323 | 8067-113-999 | | 79 | 6 |

 20583
 PENNIE AND EDMONDS
 1155 AVENUE OF THE AMERICAS
 NEW YORK, NY 100362711

CONFIRMATION NO. 2880

UPDATED FILING RECEIPT



OC000000006909091

Date Mailed: 10/15/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

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Domestic Priority data as claimed by applicant

 THIS APPLICATION IS A CONTINUATION OF 09/760,328 01/2/2001
 WHICH CLAIMS BENEFIT OF ~~60/219,059 07/17/2000~~
 AND CLAIMS BENEFIT OF 60,220,950 07/26/2000

(*) Data inconsistent with PTO records

60/219,059 07/17/2000

Foreign Applications

If Required, Foreign Filing License Granted 08/02/2001

Projected Publication Date: 01/24/2002

Non-Publication Request: No

Early Publication Request: No

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COOLEY GOWARD LLP

Title

Derivatives of laspartomycin and preparation and use thereof

Preliminary Class

514

REC

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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NOT GRANTED

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